

**Washington, D.C.** - U.S. Rep. Mark Kirk (R-Highland Park) and fourteen other members of the Illinois delegation sent a letter to FRA Chairman Alan Rutter late Monday afternoon urging him to reevaluate the FRA's Interim Final Rule on the use of Locomotive horns at Highway-Rail Grade Crossings. The deadline for the comment period regarding the Interim Final Rule expired Monday. The letter calls the FRA's Interim Final Rule an "unfunded mandate" costing local governments millions. It urges the FRA to include a waiver for the State of Illinois when the Final Rule is issued in December to allow Illinois to implement an alternative safety program.

"We cannot burden local taxpayers with millions of dollars in costs to comply with a poorly drafted new federal rule. We must defend the quiet zones of local communities and help them upgrade safety equipment," said Congressman Kirk. "The rule as drafted will hurt our environment. It will trigger so much noise pollution that I fear any benefits will be overwhelmed by its cost."

The Alternative Crossing Safety Program submitted by the Regional Rail Working Group- a combination of every major transportation agency and government in northeast Illinois, calls on the FRA to delegate railroad safety oversight responsibilities to an appropriate state agency. Since 1988, the Illinois Commerce Commission (ICC) has dedicated more than \$365 million to improve safety at over fifteen hundred highway-rail grade crossings. Since 1989, fatalities and injuries have decreased by 72% in Illinois, in great part due to these improvements. This work continues today through the ICC's Grade Crossing Protection Fund which invests \$27 million annually to assist local jurisdictions in improving crossing safety.

Although the FRA will have oversight on how the ICC implements the program, the proposal calls for the FRA to give the ICC the authority to establish acceptable safety thresholds, designate quiet zone status, and enforce quiet zones within the designated region. It also calls for all crossings within a quiet zone to be marked from all possible roadway approaches with warning signs that say: **Train does not routinely sound its horn at this crossing.**

"Living at our nation's crossroads has significant benefits, but also has its challenges. Nevertheless, Illinois has and will continue to meet these challenges to improve the safety of motorists and pedestrians traveling across rail crossings while at the same time preserving the quality of life for residents who live near crossings," said Kirk. "This proposal presents a common sense approach for balancing the commitment to safety at rail-grade crossings with a

community's desire to preserve quality of life for its residents."

The Final Rule is set to be issued December 18, 2004. As the rule stands, communities who have existing whistle bans will have up to five years to implement the requirements.